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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
HOLT ET AL.

Serial No. 09/846,786

Filing Date: May 1, 2001

Confirmation No. 5140

For: HIGH CAPACITY BROADBAND  
CELLULAR/PCS BASE STATION  
USING A PHASED ARRAY ANTENNA

Examiner: J. Clinger

Art Unit: 2821

11/ Terminal  
Disclaimer

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

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Director, U.S. Patent and Trademark Office  
Washington, DC 20231

Sir:

Assignee, **HARRIS CORPORATION**, having a mailing address of 1025 West NASA Blvd., Melbourne, Florida 32919, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 09/846,786 (hereinafter "the '786 Patent Application") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was recorded on August 24, 1998, at Reel 9401, Frame 0658, in parent application serial number 09/138,491, now issued U.S. Patent No. 6,226,531.

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Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '786 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,226,531 (the '531 Patent).

Assignee also verifies through its duly authorized representative that it is the owner of all right, title and interest in the parent application Serial No. 09/138,491, now issued U.S. Patent No. 6,266,531.

Assignee hereby agrees that any patent so granted on the '786 Patent Application shall be enforceable only for and during such period that it and the '531 Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 C.F.R. § 1.321, has all claims canceled by

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a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the attorney of record.

Authorization is hereby given to charge the Terminal Disclaimer fee of \$110.00 to Harris Corporation Deposit Account No. 08-0870.

If any additional fee is required, charge Deposit Account No. 08-0870.

**TERMINAL DISCLAIMER  
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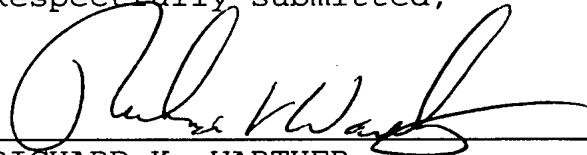
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*Not for Record.*

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Respectfully submitted,



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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: **DIRECTOR, U.S. PATENT AND TRADEMARK OFFICE, WASHINGTON, D.C. 20231**, this 20<sup>th</sup> day of June, 2002.

